



SENTENCING IN WISCONSIN

Snapshots of Information on Wisconsin Sentencing

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Sentencing Data by Offense Classification Going Online

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At its November 2005 meeting, the Wisconsin Sentencing Commission decided to post state sentencing data by offense classification and prior criminal history of offenders on its website, <http://wsc.wi.gov>. The Commission originally compiled the data as a set of proposed sentencing guidelines based on actual sentencing practice. Following feedback from WI circuit judges, the Commission agreed that the data would be useful for reference but not for guidelines at sentencing. The Commission will continue to investigate other options for future permanent guidelines, including possible revision and approval of its existing temporary guidelines system.

The data include major offenses under each classification as well as the median and interquartile ranges for confinement and extended supervision sentences under TIS-II, beginning February 2003, broken down by the number of prior felony convictions of the offender. Users will also find the percentages of sentences to probation for the entire offense classification posted. These data will be updated periodically as more data are included into the Commission's data base. The data apply to all the offenses in the felony classification and should not be assumed to apply to specific offenses, which may have greater or lesser punishments on average. Classification A level offenses will not have data posted.

The example below features the section for Classification B level offenses. The overall percentage of offenders convicted of offenses in this classification who received probation was 25%. The median sentence refers to the middle sentence among all those given. Interquartile range refers to the middle 50% of all the sentences given for that classification and prior felony conviction record. For a first-time Classification B offender with 0 prior felony convictions, the median sentence to confinement was 10 years and to extended supervision was 10 years. The respective interquartile ranges were 5-18 years for confinement and 5.7-12 years for extended supervision.

Similar listings for Classifications C-I can be found on the website.

FELONY CLASSIFICATION B

Most Common Offenses

- 1st Degree Intentional Homicide
- 2nd Degree Intentional Homicide
- 1st Degree Reckless Homicide
- 1st Degree Sexual Assault of a Child
- Homicide by Intoxicated Use of Vehicle

Percentage of offenders in this classification receiving probation: **25%**

Confinement

Criminal History: Number Of Prior Felony Convictions						
	0	1	2	3-5	6-8	9+
Recommended Range	5-18 yrs	10-26 yrs	2.6-17.5 yrs	4-21 yrs	No Data	No Data
Median Sentence	10 yrs	15 yrs	8 yrs	12 yrs	No Data	No Data

* Shaded cells indicate that the total number in the cell was less than 20 cases.

Extended Supervision

Criminal History: Number Of Prior Felony Convictions						
	0	1	2	3-5	6-8	9+
Current Range	5.7-12 yrs	10-17.5 yrs	8-12.5 yrs	5-13 yrs	No Data	No Data
Median Sentence	10 yrs	10 yrs	9.1 yrs	10 yrs	No Data	No Data

* Shaded cells indicate that the total number in the cell was less than 20 cases.

The Wisconsin Sentencing Commission periodically publishes "Sentencing in Wisconsin" to provide the public, state courts, and policymakers data on state sentencing practices. For other publications, or more information about the Commission, see its website, <http://wsc.wi.gov>